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New York

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MARTIN W. LITTLETON

Addresses By

Hon. MARTIN W. LITTLETON

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PUBLISHED BY

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INTENTIONAL SECOND EXPOSURE

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THE two speeches printed herewith were delivered at a meeting held February 7, 1925, by The Non-Partisan Saturday Discussion Committee of The National Republican Club, Inc., New York City.

The subject for discussion was, "Are Radical Activities Weakening American Institutions?"

Mr. Roger N. Baldwin, representing the American Civil Liberties Union, and Mr. Fred R. Marvin, Special Advisor of The American Defense Society, Inc., also spoke.

Are Radical Activities Weakening American Institutions?

Address delivered by

HON. MARTIN W. LITTLETON

I come today deeply obliged to this Club for the opportunity to be here, and what time I shall detain you shall be devoted, as nearly as I may, to a revival of some of the things which I think are essential to the daily life of the individual and the nation.

I have listened with a great deal of interest to the discussion which has preceded me.

The Attorney-General of Michigan, Mr. Smith, with great force and great cogency, presented exactly what the Communist Party stands for and with an earnest appeal to everything that was loyal, to everything that harked back to the traditions of the country, he touched you, I have no doubt, with the belief that perhaps you had not done all you should do in defense of the ideals of the country against the invasion of radical propaganda.

I listened to Mr. Baldwin's presentation of his side. I saw nothing in the way of a discussion of any of the radicalism of the country in what he said, rather an easy apology for certain radicals with whom he does not profess so close an association as to make his apology altogether acceptable.

If he had confessed to a closer association, a more intimate knowledge, and a more intensified form of cooperation, with them, and then had said that they didn't amount to anything, I might have accepted it as being something of an atonement for all of the things which Mr. Smith had pointed out.

Mr. Baldwin's attitude seems to be this; that it does not make any difference what a man advocates. The sole question is, shall he have the liberty to advocate it? He did not say what he thought they should advocate or what he thought they should not advocate.

He hinted gently at the fact that there was an experiment going on in Russia, and that that experiment might develop something. It has already developed something. He suggested that it might be a readjustment of the attitude of government toward property. It has already been readjusted.

Liberty to Destroy Liberty

I take it from what Mr. Baldwin has said elsewhere than here and from his devotion to the Civil Liberties Union of which he is the representative, that he belongs to that group in this country who claim the liberty to destroy liberty if necessary, who assert that sort of freedom which recognizes no other body of freedom except the right to interfere and destroy whatever standard of freedom may exist.

In other words, I may advocate, if I like, to a host of people the burning of the city hall or the overthrow of the state government, and whatever that may entail and whatever disaster that may bring. As long as I don't do anything myself to burn the city hall or overthrow the state government or to kill anybody, there is a right in me to advocate that it be done, and a right with which the government of the United States may not interfere, and that is imbedded in the doctrine of free speech of which we are all proud and for which we are all grateful.

There is an element—I do not say this offensively,—but there is an element of cowardice about that philosophy which repels me at the instant. I should rejoice more in that government which would tolerate the man who would advocate the burning of the city hall and then help burn it, than I would the man who would advocate it and then retreat into the shadow and let some misguided man burn it.

I would rejoice more in the toleration of that government which would allow me to advocate the overthrow of the state government and tolerate me as I marched up to Albany at the head of an army of men to overthrow it, willing to risk my life, than I would in a group which sought to incite the women and the children of the country, who may not be so well acquainted with the situation, to do that thing, while they retired to some safe place in the cellar to write an article for the next paper that might come out.

In other words, it is a question as to whether a man shall be responsible, or a woman, for what they do, and say to cause others to do wrong. Conspiracy is an old crime, well recognized in the courts of all the countries. A conspiracy to violate a law is merely after all

an agreement or an arrangement between individuals under which they act in common concert of action, or agree to act to the end that the law may be violated, and having entered into the conspiracy, if one of them should do anything toward the consummation of the act, the crime of conspiracy is established, though nothing is done.

A Party or a Conspiracy

That makes me believe that when anything resembles a conspiracy to overthrow the government of the United States, whether it calls itself a party or a conspiracy, makes no difference. And whether it content itself with the arrangement to tear down the government and the advocacy of it, is no less a conspiracy, because the men who generate and start it may not have the courage to carry it out.

We had a meeting in Madison Square Garden which has been alluded to. The debate today or the discussion today does not relate really as to what should be done by way of law to discourage the radical activities in this country, though that has been brought into it by Mr. Baldwin's discussion.

The issue today, or the discussion today, was devoted to the question, "Are radical activities in the United States weakening American institutions?"

It may well be that we will ere long be obliged to go into the open and meet these radical activities in some form or another, masquerading as they usually do in first one shape and another,—meet them in the open forum.

The polyglot radicalism embracing every disgruntled Republican, every dissatisfied Democrat, every purring Socialist and every raging Red was dissolved in the fires of the last campaign. Each of these elements is now imitating the stridulant grasshopper in the corner of the fence, while the whole noble herd of Americanism is browsing upon the rich pastures above.

The factitious and the fictitious union that was made up of all of these agencies has been broken for the time being. The farmer from the Northwest, whose simple soul was beguiled by the sporadic oratory of the Communist from the cellars of the city, is backed up under his thermometer of thirty degrees below zero, wondering why he ever came out into the last campaign with such a group.

And the little white philosopher of peace, known as the socialist who doesn't wish to hurt anybody or to harm anybody, now wishes some comfortable parlor on a bright afternoon where he can meet an assemblage of ladies and gentlemen not otherwise occupied, to deliver to them the soft strains of seductive socialism. The communist, a ruggeder soul, a man who has been acquainted with the grand jury and introduced to the sheriff, is moving about either openly or secretly all of the time, part of the time, so to speak, his head above the water, and part of the time underneath.

The opportunist in the Democratic and Republican Party, the man who loves that sweet and close kinship with his district and his state, so that it will never be destroyed and his candidacy will not be outraged by opposition of any kind, is seeing what he can pick out of the Communist Party and out of the Socialist Party and appropriate into his own party and put into a bill so that he can go back home and command a solidified party back of him when he runs again.

The Doctrine of Revolution

But it doesn't make any difference, my friends, whoever these people were and are, whether they be Socialists, Communists, Opportunists, or persons of expedience, the doctrine of revolution inheres in and clings to all civilization.

It was present at the birth of every government and it administers not infrequently at the death of many. It is not to be lost in political defection, it is not cured by party and political harm. It may be on one occasion the Socialist preaching his doctrine of the solidarity of all human activity into a static society; it may be the Communist, wanting his ruthless dynasty of power to go unchecked; it may be the sanguinary Soviet in his true name, compounded of these other elements, if you please, who by profession is a Socialist, who by practice is a Communist, and who by occupation is a gunman.

It may be some of these compromises or opportunists of whom I speak, but underneath it all is the great age-old contest, the substitution of the government for the individual, the crowding out of the individuality of the man and the substitution of the mediocrity of collective incapacity.

The smothering of the genius of the individual in the asphyxiating gas of government itself is as old as the struggles of man. It is as vital as the life blood of the nation. It is as present as the circumambient air, and it is as resistless and inevitable a question as is the whole course of human progress, and it is here with us always. It is masquerading in one form or another, but eternally challenging the great principles of the civilizations of which you and I and our forebears are and were a part.

The Government to Take the Place of the Individual

Men seem not to remember, or else easily forget, that government, scientific government, was created as an agency to secure liberty for the man himself and the woman. "We hold these truths to be self-evident, that all men are created equal and endowed by their Creator with certain inalienable rights, amongst which are life, liberty, and the pursuit of happiness, that to secure these rights governments are instituted amongst men, deriving their just powers from the consent of the governed."

Now, just take the real heart of that paragraph, "to secure these rights governments are instituted." The only reason for the existence of a government is to furnish sufficient authority to preserve order and an amount of liberty which falls short of license.

The only reason why we have a government under the conception of the fathers who preceded us, and which we have subscribed to with fidelity and with gratitude, is a desire that the greatest amount of individual development shall be allowed to take place consistent with the rights of other men, so that the object of government is the establishment of liberty and the enforcement of justice.

Now, over against that, every form of radicalism is expressing itself. Therefore, I say, all radical activities are dangerous to the institutions of this country. I do not say that all radical activities are so dangerous that they ought to be arrested. I do not say that all radical activities are of such a nature that they need to be shot on sight. I say that they can get so dangerous, and I say that they have at times gotten so dangerous that they will be obliged to feel the heavy hand of the law.

For instance, we have a definitive government in our country; we have defined the body

of our doctrine. We have described what our faith is. We have written and embodied it in a great instrument known as the Constitution of our country, preceded by the Declaration of Independence, a great definitive philosophy, and under that we have set up on this side of the ocean a framework of government, and underneath that genius and spirit and energy and industry of man have been working for these one hundred and thirty-five years, enjoying itself underneath the great structure created for liberty and the framework of this edifice erected to enforce justice.

Loyalty

Now, then, this is the household of our government. Every man who is born underneath the government, every man who comes to these shores, should take an oath to support and maintain and defend that government, and if he will not when he comes here, or if he become an apostate, though he be born here, he is outside of the great body of the doctrine which is established in the organic laws of our country. He may not be an enemy who deserves imprisonment or incarceration, but he is an enemy nevertheless. He may not be the father of an activity which will destroy the government, but he will be and is the father of an activity which will impair the usefulness of the government.

What right have fifteen thousand aliens who have never honored us by an application for a right to become citizens under our flag to meet in the highways or the halls of the country and advocate the overthrow of a government to which they will not subscribe and under whose shelter they insist upon living?

I grant you there is a touch of compassion about the women and the children who gathered in Madison Square Garden. I grant you there is a feeling which every man must have of profound sorrow and grief that the malignant poison has reached the vital parts and that these people will come there in the face of a country whose shores they stretched their weary eyes to see from some distant land of poverty and slavery, and revile that country and advocate its overthrow.

I grant you there is a touch of compassion about it, but nevertheless if you speak of dangerous activities, whether radical activities are dangers to us, look about the United States.

Investigate the schools, and they are full of it; the colleges, and they are flowering with it; the institutions of learning, and they have been shot to the core with the virus of this poison. All of these are inculcating and developing and sending out diligently over the country these ideas which strike hands with, in some form or another, to some degree or another, the violent forms which have been imported from elsewhere.

Nobody relishes, nobody enjoys free speech as much as the American does, and Heaven knows it doesn't seem that anybody on earth has as much of it as we have. Our newspapers, our periodicals, our pamphlets, our speakers go wherever they will and speak practically whatever they can, as long as they don't get in the way of public traffic, which must go on. And yet the protest is made that we still do not have the freedom of speech we should.

The Attack on the Courts

I take two things from this strange agglomeration of this last campaign, this heterogeneous organization which ran wild in America as a great Third Party and which said:

First, we believe in destroying the intolerable tyranny of the courts; and second, we believe in the government ownership of railroads and public utilities and power companies and the government organization of super-power systems.

Let me call your attention to the illustration respecting the courts in the most simple terms. Suppose the legislature tomorrow were to pass a law which would transfer your house to me. It wouldn't give you very much concern. You would say, "I am not disturbed about that because I know perfectly well the legislature can't do that."

But why can't it do that? Because it is unconstitutional. You don't know exactly how far that big word is going to get you, but you know that much anyhow. You go down to one of these much despised lawyers and you ask him, and he tells you:

"That is all right, don't worry about it. If such a thing as that passes, of course that is insanity flowering out through legislative action. You needn't worry about it."

But suppose the courts of the country didn't have any right to say that an act was unconstitutional. Suppose the legislature could pass

a law which would be supreme, and you would say, "I will go to the courts."

"But we have had a reform here," says somebody, "and we have passed the LaFollette-Foster-Ruthenberg-What-not program, and we have now destroyed the intolerable tyranny of the courts. No longer may they interfere with the sovereign will of the people as expressed by the legislature."

"But," you say, "you can't take my house; it doesn't belong to you."

"That doesn't make any difference, my dear sir, the legislature has spoken on this subject. There is no constitution in the United States which can interfere."

"Well," you say, "we will go to the court."

You do that, and the court says, "It was aforetime, before we had reached this place of dizzy progress in the world's history, before we had imbibed all the philosophy of Bolshevism, before we had had all the liberty of the Civil Liberties Union, long before this there was a time when you could appeal to the courts, but the courts have been relegated to the dusty cloisters of those places where they shall now be determining only the rule in Shelley's Case. You are now face to face with the sovereign will of a sovereign people. This is the rule of the people under the new egis."

You say, "You don't mean that you can take my house?"

"Yes," is the melancholy reply.

We will extend it now. Suppose it were voted by the Socialists of this State and there wasn't any government which could interfere at Washington,—and of course that would be attended to whenever we mend all these things,—and the Government at Washington would have nothing to do with it, and suppose it was passed as a law of the State that all of the property of this State should be subject to the possession of those who would take possession of it. It is very nearly what they did over in Russia, although not quite classically a parallel.

Suppose some man came to you and said, "I happened to get into your house while you were out at the Republican Club hearing a discussion on liberty, and I am going to keep your house. I have legislative authority for doing so and the courts can't interfere, because the intolerable tyranny of the courts is disappearing."

Well, I don't know how you would feel about it, but having worked a good number of years, striving a great deal in a profession which is not all a bed of roses, I don't think I would give up my house without a contest, and if the contest had to be, whether he be the better man or I, it would mean war, and so it would with every red-blooded man in the country, and therefore Socialism would mean war, and that is what Socialism means all the time.

Government Ownership

Now, the other doctrine that they advocated was the government ownership of railroads and government ownership of public utilities and the organization of super-power systems. You would think that after they had one billion six hundred and fifty odd millions of deficit which has to be paid by taxes for the little experiment of running the railroads during the war, you would think they would pause and get their breath and say, "Hadn't we better leave this thing alone for a little while?" But, no, there is nothing in the way of the vast reach of ambition of these gentlemen.

"What does it matter about a few railroads in the United States in our program? We shall buy the railroads, and utilities, and we shall buy them with the money that we tax out of the people of the country, and we will operate them and we will run them as the great agencies of the government. We will increase the army of government employees and build up the bureaucracy of the government.

Not only that, but we will set to preside over them that kind of genius which can be purchased at $175 a month. And we will turn over the commerce of this country and the business of the country and the hauling of the passengers from the Atlantic to the Pacific and from the Lakes to the Gulf—we will turn it over to that virile sort of intelligence that we find now slumbering soporifically in the departments at Washington. But we will do more, we will do a noble thing when we go further, and that is, my friends, we will take away from the ken of the man and from his vision the attraction of any kind of gain or development which may come to him.

Killing Initiative

"We will say to him, 'Your genius is worth six per cent and no more, your risk, your ven-

ture, your courage, your career, shall be paid for at the rate of six per cent.'"

Do you know what they do now? There are men who advocate that the income for railroads or other utilities for the benefit of stockholders and for the management should not exceed a net six per cent. They say, Why more?

Do you know of anybody who would build a railroad or go into a public utility and take the risk of ruined fortune, of a destroyed career and have a despoiled life, so to speak, for the gain of six per cent?

What has made the country develop as it has? The genius of the individual has been touched by the hope of reward. The industry of the individual has been organized by the prospect of advantage and the energy of the individual has been harnessed to be driven to a goal of prosperity for himself. That has been the real moving force behind the railroad lines that thunder now to the West. Along their way are the bleached and uncoffined bones of the dead heroes who built them at a risk to themselves in the hope that they might have some gain, and that is the history of human progress wherever there has been any human progress. And the paralysis of government, the benumbing influence of bureaus and the destructive agencies of politics have had nothing to do with the terrific battles that have been fought by the individual genius of man.

There is a public side and a private side to a railroad or other public utility. Wherever it touches the public, the passenger, the farmer, the manufacturer, the shipper, it must be made by the government to do justice between these, and that is the supreme sphere of the government upon the public side. But, when justice has been done, if after that there is a region of gain for the individual who has made the venture and taken the risk, that gain does not belong to the government, but belongs to the man, and without it there is a state of paralysis in all of the individual genius which goes into the railroad and public utility business of a country.

Too Much Government

I come back to the old problem, government substitution for the individual, government taking the place of the man and the woman, government hovering over the community and

stifling the air, making the breathing of liberty hard, difficult. Government, with its agencies and its minions, and its authorities, treading on your heels wherever you go, crossing your threshold, invading your home, reaching into the nursery of your children—government! And what is this thing called government?

This is mine and yours, an agency, an instrument. It isn't some foreign, hideous, powerful creature of the mystic ages set up to govern and to control and adjust and administer to man. Government is mine and yours to do with as in our judgment and our intelligence we think it should do, always mindful of the individual. For let me tell you, I am the "me" of my life, and you are the "you" of yours, and the violent hand of any government that invades the sacred domain of individuality is a government which does not belong to a period of American liberty.

A great philosopher has said, "I have transfused my blood and my muscle and my brain into my property until it has become the periphery of my person, and he who assails it, assails me."

I accept the challenge from any and all of these various radical organizations that are made, masquerading under whatever form and occupying whatever cellar or whatever altitude upon the proposition that this government was erected to protect life, liberty and property and when it ceases to do that it ceases to be a government of the civilization of this age and era and belongs to another age and another era.

The following is the speech of Mr. O. L. Smith to which Mr. Littleton refers:

Mr. Smith is the Assistant Attorney General of Michigan, who brought about the conviction of C. E. Ruthenberg, and who conducted the trial of W. Z. Foster, who with twenty-eight other radicals were arrested in the Bridgeman, Mich., raid.

Are Radical Activities Weakening American Institutions?

Address delivered by

HON. O. L. SMITH

Mr. Chairman and Members of the National Republican Club and guests: I can't answer this question, Are Radical Activities Weakening American Institutions? just as it is outlined, and I suggested to the Committee that the wording be changed to read, "Will Radical Activities in the United States Weaken American Institutions?" I want to confess to you that I have an abiding faith in the good common sense of the great American people if they can be educated to know the problems they have to meet, but I trust that that is not a blind faith. My conception of this movement is undoubtedly the conception of the average man, because I had always believed that it was more or less something foreign, always had believed that it was something that was being drawn out of the imaginations of certain people who were fearful, and I had a very rude awakening when I was called upon to act as the chief prosecutor in what was known as the Michigan Syndicalist Cases.

American Born Communists

I had always had the concept of a Communist, which comes to very many, as being a long-whiskered, long-haired Russian peasant type. I was very much surprised when I found that out of seventy-eight defendants that were apprehended at the raid in Bridgeman, representing sixteen different nationalities, that twenty-two of them were born under the Stars and Stripes. Russia was second with seventeen as the land of their nativity, and of the twenty-two American born Communists that were in that raid, each one of them was the product of at least an eight-grade school, and many of them were graduates of some one of our leading and best universities, and then I thought, after all, there must be something about this movement that the average American citizen has failed to comprehend. When I got into the study of the work and began the preparation of the trial, I found that it became very necessary for me to take an entirely

different viewpoint with regard to their activities throughout this country.

What I say to you this afternoon I want to bring to you with the authoritative statement and the impress, if you please, of having passed judicial muster. I will give you nothing that has not been presented to the court as an exhibit, and then I want you to go away and see for yourselves whether or not the propaganda, the activities of these people, such as I hope I may be able to put across here to you, will, if unabated, weaken American institutions.

I find that many of the American people are absolutely unacquainted with the movement. They don't know what it is all about, and so briefly I am going to give you a bit of their political philosophy.

"Dictatorship of the Proletariat"

On the one hand, we have the Capitalist Society as it is now known. Each of you people is a member of that society in his own philosophy, and over on the other side we have the extreme Communism, and the problem of the radical is to transport society from the Capitalist state that it now has over to this Communist state which they want it to have.

But, they say that people cannot become educated to that proposition all at once, so it becomes absolutely necessary to have some form of government which will usher in Communism. There must be a bridge to take us from Capitalism to Communism and that is bridged over by their form of government known as the Dictatorship of the Proletariat, and so they feel that eventually if we follow their theory to its ultimate logic, people will become either so inured to the hardship of Communism or so enthusiastic over the workings of Communism that then the Dictatorship of the Proletariat can vanish into thin air, and we will have the simon pure altruistic Communism.

Advocating Force and Violence

It isn't that we have any quarrel with any man, Mr. Ruthenberg, Mr. Foster, or Mr. Baldwin or any other of the congenial gentlemen on the other side, because they think these things or because they talk these things. There is no more fundamental misconception of the prosecutions in Michigan than the fact that we are prosecuting people because they have an opinion. We are prosecuting them, ladies and gentlemen, simply because they came

there through the overt act advocating force and violence, insurrection and civil war, to do away with the established institutions of our beloved common country. That is what the prosecutions are for, and if anybody tells you differently, I want you to argue the question with them, and I hope I may convince you of that before I finish here.

If they can educate you and me to their beliefs, all right and good. But the thing that they stand for, the thing that they advocate, the thing that they insist upon is that their proposed change of government must and will come about by force of arms, by violence, by insurrection, by civil war, by the bullet and not by the ballot. I have here in my hand exhibit 1, which is the program and constitution of the Communist party of America, which was there in evidence and which every one of them had, and of which all of them were anxiously waiting and working to bring about the fulfillment. In that record I find these sentences.

> "By the use of force, the Proletariat destroys the machinery of the Bourgeois state and establishes the Proletarian Dictatorship based on Soviet power. Every class struggle is a political struggle. The object of the class struggle which inevitably develops into civil war is the conquest of political power. A political party that shall organize and direct this struggle is indispensable to the acquisition of that power.
>
> "The Communist party will keep in the foreground the idea of the necessity of violent revolution, for the destruction of the Capitalist state and the establishment of the Dictatorship of the Proletariat based on Soviet power."

I know that my friends on the other side say that it will be brought upon them by the Capitalists and that it is a war of defence. They have only changed their tactics recently. But a fair illustration of that is the fact that a man may come into my home, he may insult my wife. I may ask him as a gentleman to leave that home. He refuses to leave. I take him as a matter of defence of my home and push him toward the door and he shoots me down and commits murder, solely upon the ground that he is acting in self-defence, and that is the theory upon which these people are seeking to put their program across.

Instructions from Moscow

"The Communist party will systematically and persistently propagate the idea of the inevitability and of the necessity for violent revolution, and will prepare the workers for armed insurrection as the only means of overthrowing the Capitalist state."

From Exhibit 8, I have here the thesis of statutes of the Communist Internationale. I read but one paragraph.

And remember this, that the American Communist party is directly under the sole supervision and direction of Soviet Russia, and I will prove it to you before I get through.

"In order to overthrow the International Bourgeois and create an international Soviet Republic as a transition stage from the complete abolition of the state, the Communist Internationale will use all means at its disposal, including force of arms."

Communists Pacifists

As your New York statutes will guide the conduct of your citizens of New York, so does the thesis of statutes guide the conduct of the Communist party throughout the world. The Communists are pacifists. They are pacifists for exactly the same reason that a burglar is against having a policeman in New York City, not because they abhor war, but because they wish to break down our national defenses. No man abhors war more than I, and I have three sons that would be of military age should we get into another war, and the hardest thing under God's heaven would be for me to place my hand on my boy's shoulder and say, "Good-by, boy, it is up to you to serve America." I am a pacifist, but I am not the kind of a pacifist that is going to hold back when our country's needs are threatened. I believe there isn't a pacifist anywhere in the sound of my voice but what would say, "For all of the blessings that you have had, Boy, do your duty."

I want to call your attention now to the thesis and resolution which was Exhibit 9 in that trial, and I say to you that every one of these can be verified from the record, so that I am not giving you anything drawn from my imagination.

This is what they say of the boys who went out and made the supreme sacrifice, who laid their service upon the altar of their country during the Great War, and this is why they are pacifists, so that they may bring the

natural protection of American institutions absolutely to its lowest ebb so that when the time of great unrest and great crisis comes, they may then step in, as they stepped into Russia in the March revolutions. This is what they say about the organization of the American Legion:

"The organization of strike-breakers, cut-throats, which are an old time embellishment of American Democracy, have now acquired a leading organ in the so-called American Legion, made up of the flotsam and the jetsam of the war."

And there are men and women in this room who perhaps have a gold star hanging in their home, and that is the way my Communist brethren and the Internationalists of Russia look upon the American Legion, who have given their all. Mr. Ruthenberg and Mr. Foster and every other one of those gentlemen down there, when I read them this passage and I asked, "Do you believe in the American Legion?" said, "I do not." And they fairly hissed the words.

There are other matters in here. They say that acts of sabotage are always justifiable when they can cut off the supplies between the enemy and the Proletariat.

The A B C of Communism

I have here the A B C of Communism, the text book, if you please, which is put into the hands of all of their people from their youth up.

This was Exhibit 44 in the trial. I quote from page 19.

"What is wholesome for the worker is death to the landowner or the Capitalist."

It has proven so in Russia.

As to what they mean by civil war, as to whether they are just advocating a foolish notion (my friend said it was a constitutional right for everybody to be a darn fool,) and as to whether these are just vacuous vaporings out of some disordered mind or not, as to what they mean, I want to call your attention to page 126.

"Civil War is an extremely intensified class war, and it occurs when the class war has led to revolution. Civil war is not the result of any party's caprice, its coming has been no chance matter. The civil war is the manifestation of the revolution and the revolution was absolutely inevitable because the

war of the Imperialists has opened the eyes of the broad masses of the worker. To think that the revolution can take place without civil war is equivalent to thinking that there can be a peaceful revolution. Any one who believes this is turning away from Marx to those antediluvian socialists who imagine that factory owners can be talked over. We might just as well hope by patting a tiger to persuade the animal to live upon grass and to leave cattle alone. Marx was an advocate of the civil war, that is to say, of the fight of the armed Proletariat against the Bourgeois."

Is that just a prophecy or are they trying to teach and instill into the minds of their followers and into the minds of the youth of the land that inevitably there must be the clash of arms, class against class, capital against labor, or are they just simply giving utterance to foolish thoughts? I leave that to you.

"A decisive victory over the enemy and a realization of the Dictatorship of the Proletariat, such will be the inevitable outcome of the world-wide civil war."

There are hundreds of other passages in this text-book that is going into the hands of the members of their study classes for the purpose of education.

Mr. Robert Minor

They print, as we have shown, a magazine known as "The Communist," and this is Exhibit 23, as I recall, and I want to call your attention here, if you please, to an article that is written by Bob Minor.

Mr. Robert Minor is the son of a Southern jurist. He is a gentleman who has wonderful ability as a cartoonist; a man who could use his efforts for the upbuilding of America in a very satisfactory way, and yet this is what a gentleman who has had the opportunities and the blessings of free America has to say about American conditions.

When we were preparing this trial it was my privilege to get into touch with a survivor of the Herrin massacre, and the story that was there told was to the effect that those non-union miners who were simply working for a living were ordered out under a white flag of truce, and then were lined up against the barbed wire fence. He said to us: "They told us that any one who could get away before

the order was given to shoot would have their liberty," and almost simultaneously with the lining of them up against that fence, the volley rang out and some nineteen or twenty-one of them fell in cold-blooded murder here in free America. This man with some others escaped, they were captured, a wire was placed around his neck and he was dragged behind the rear axle of a Ford car and left until he was thought dead.

That is the situation that Bob Minor is writing about, and I want to read to you from his own words (Exhibit 23) what he said and show you what he is putting into the minds and into the hearts of this class of American people.

"While I am writing this article, the newspapers announce a battle in the State of Illinois. It is a battle in which several thousand armed coal miners marched against the scab coal mine, laid siege to it, and after a terrific rifle fight, defeated the scab army and closed the mine down."

Then he asks whether the Communists are the leading spirits in that Herrin massacre, and says:

"We are not. But what is the trouble? I think that the trouble is that we have allowed false thought processes to lead us into mistaking armed phrases for armed insurrection. I think that our primary duty is not to issue aimless leaflets and proclamations about armed insurrection but to pursue a course that will put us in the actual leadership of the struggle which inevitably leads to armed insurrection. If we come out of our haze of dream clouds, I think that we will see that our unconsidered, dogmatically repeated phrases about armed insurrection are one of the things that prevent our getting on any working basis with those workers who don't talk about armed masses, but take their guns and close down scab mines and paralyze the state machinery by military action."

Is it prophecy, or is there an advocacy? Is he advocating that thing to be done? Is he instilling into the minds of his followers that that is the only manner in which these things may be brought about?

From Exhibit 23 I find this—Roger Ganoli or Mr. Flaherty writes here with regard to the prisoners,

"Communists are not Pacifists. They oppose the Pacificism that meekly submits to the will of masters of society. They are

militant. They believe in war, the class war. They oppose the militarism of Capitalism which pits worker against worker in fratricidal strife, but, as they say, the capitalist governments can only be overthrown by the same kind of armed force that is now used by the ruling classes to keep the working class in subjugation. They believe in establishing the Dictatorship of the Proletariat by force, and maintaining it by force during the transition period of Capitalism to Socialism. This is a dangerous belief, dangerous in the eyes of the Capitalist state, because it assures victory to the workers. No silly reliance upon the ballot as the only weapon available for the capture of political power, no reliance upon the all sufficiency of the general strike. The real Communist avails himself of every weapon to strike a blow at Capitalism, but with a firm conviction that the final onslaught on the enemy's stronghold will be made not with ballots, but with bullets."

Communist Party of America

Could anything be plainer? I said to you ladies and gentlemen that this originated in Russia, and I want to prove it to you. Here is the situation in a nutshell:

The Central Executive Committee of the Communist party of America consisted of ten members. There grew up in the Communist ranks a discord, for the reason that in the first place they had what was known as the secret underground organization spoken of in all of their literature as Organization No. 1. They received orders from Moscow. I have the telegram here that gave them those orders, directly from Moscow. It is Exhibit No. 56, in which the Communists of America were told to organize a workers' party to come out into the open, which they called No. 2.

The workers' party demanded that every Communist, every member of the No. 1 organization, must, *ipso facto,* become a member of the No. 2 organization, but every member who is a member of the No. 2 organization need not of necessity belong to the No. 1 organization. But the purpose of it was to spread their propaganda, just such as I have been reading here, which seems to me is unmistakable in its language, unmistakable in its method, unmistakable in its plan of bringing the action about, and its result. It shows how those people attempted to dictate to America how American institutions should be run.

Three of them, who represented the minority faction, the large foreign unassimilated un-American and alien population, said if you bring those men out into the open, and it is known that they are Communists at heart, the American government will immediately set about to deport them. So the battle raged.

They sent delegates to Russia representing the minority faction, who went before the Committern. No action was taken by the American Communists until Russia passed the word. They passed the word in a code telegram which I have here as Exhibit 56. It was translated in the report of the trial. It gave them direct orders from Mr. Lenine to organize the No. 2 organization and to proceed without regard to the minority faction. And what was the result of it all?

Immediately after the receipt of that telegram, Mr. Ruthenberg, Mr. Foster, Mr. Minor and the others who made up the three of that majority on the Executive Committee, organized the Workers' Party of America, which had its headquarters in New York here at that time, but thanks to your good City, they have moved to Chicago.

Orders from Russia

The point I want to bring out is that when it is said that the Workers' Party was not of Russian origin, that it was not conceived in the minds of the Russian fanatics, I want to say to you that here is the positive proof and evidence; this telegram ordered them to do it, and these men never made one move that was not O. K.'d by the Committern.

And the result of it was—according to this document in my hand (Exhibit 30 in the trial), which says we have heard Mr. Moore, we have heard from Mr. Duffy, and have appointed a sub-committee of the Committern, consisting of three members (names you see very largely in print. I have their signatures in their own handwriting, Mr. N. Bucharin, Mr. K. Radek, and Mr. O. W. Kusinen,) to hear the respective claims of both Mr. Duffy and of Mr. Moore (the delegates from the U. S.) on the fight that was raging as to the control of the American section of the Communist Internationale.

Russian Propaganda

As a little sidelight on this proposition, when Mr. Duffy was coming back, he wrote a memo on the best way to put the Russian propaganda across in America, which is taken out of Port-

folio 54 of the trial material. This is what he said with regard to the raising of funds.

"I suggest that fifty or one hundred talented children, ranging from ten to twelve years of age up to twenty-one be selected from the various schools and children's homes all over Russia and brought to Moscow or Petrograd and put under the direction of a teacher or manager and then sent to the United States, to give a series of at least one hundred entertainments, and more if possible. These entertainments would net our organization at least $50,000 and possibly $100,000."

And you know a "little child shall lead them." If they came to New York City, after all of their training that they had under the masters, with all of their art and their finesse, they might have some good public spirited man, like my friend Mr. Hooker here, to be Chairman of their meeting, and when that meeting was all over with, the chairman would come out in front and say, "You have witnessed one of the grandest entertainments that you have ever seen, and these people are here to get funds for starving Russia. There are hundreds of others in Russia that are starving just as they are," Friends of Soviet Russia have pulled this same stunt in America. I have the proof. And then he would say, "Men and women of America, you people who live in a land of prosperity, in a land of blessing, dig down into your pockets. If a few dollars will help to save one hundred children like these one hundred children, give until it hurts." And you would be giving, ladies and gentlemen, to the organization that was helping to manufacture propaganda to absolutely destroy the thing that you and I hold sacred in America.

If you think the movement hasn't gotten anywhere, I want to say to you that from their financial statements, the contributions were nearly $600,000 in an off political year of 1921. That is a fair campaign fund.

I have here in my hand a deposition taken over here in the City of Philadelphia in which a gentleman by the name of Kenneth M. Whitten was examined. Kenneth M. Whitten was a confidential telegraph operator in the Department of Agriculture. He had charge of all of the confidential telegrams that came into that department relative to the sources of food supply and distribution, and under the name of Kenneth M. Whitten he was serving the United States government, taking the pay of

Uncle Sam, but under the name of Mr. H. F. Simpson he was the District Organizer of District No. 3 of the Communist party in Philadelphia.

Bishop Brown

I don't know whether they are going to get anywhere or not, but I am saying to you that if we only knew, the probabilities are that there are many of them that are planted in the various branches of our government. I have here in my hand a book written by a Bishop William Brown, of whom you have heard. I haven't anything to say about this book, only this: Here is a gentleman who for years preached upon the fatherhood of God and the brotherhood of man, and yet he says in his "Communism and Christianism," that they should banish God from the skies and Capitalists from the earth. Not only was he willing to put in his time and his effort and his service to write that book and to spread some twenty-five thousand copies of it around amongst the people, but when it came time, Mr. Ruthenberg went over and whispered to Mr. Brown, and Mr. Brown gave him a check for $25 to finance the convention that was being held down at Bridgeman. But the officers got there first. We have the check.

Then they weren't quite satisfied with that, and Mr. Joseph Pogany (whom you have heard of as Mr. Pepper and the best authority that I have on him was that he was the Secretary of Bela Kuhn, the Soviet dictator.) went over to Mr. Bishop Brown, and he said, "Bishop, $25 is hardly enough, we would like $25 more," and Bishop Brown gave that.

I am not a calamity howler, and I am not a Pacifist. I still believe that if this damnable propaganda in all of its insidiousness can be put before the American people, that they will take care of it.

American Apathy

But the great danger is the apathy of the American people; the indifference of the American people; the fact that they will "let George do it," and that they themselves won't take the time to inform themselves on this type of propaganda. I have gone up and down during the war time, before groups of representative citizens in our state, as this is a representative group here, and I have asked them to contribute to the Red Cross, to the War Funds, to the Liberty Bonds, to the Community Welfare fund, but if I were to come before

you today pleading with tears in my eyes that I wanted to raise a fund to protect the Constitution of the United States, you would say it didn't need any protection, and you wouldn't give $50 to help protect it, because you didn't think it needed any protection.

And yet here is a gentleman, an apostle of God, who is willing to give $50 to help destroy the thing that brought him from a hostler up to a Bishop of the Episcopal Church, which couldn't have been achieved anywhere save in America.

My time is gone, but I want to say to you people in parting, that all of the danger to American institutions lies not entirely in radical activities. American indifference, apathy, allows many dangers to grow unchecked, to flourish unrefuted.

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